

Assembly Bill No. 783

Passed the Assembly September 7, 2005

Chief Clerk of the Assembly

Passed the Senate September 6, 2005

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 13001 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 783, Jones. Elections: payment of expenses.

Existing law provides that all expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries.

This bill would provide that expenses incurred on or after January 1, 2005, and before January 1, 2006, for elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in the Congress of the United States, are to be paid by the state. Where an election proclaimed by the Governor is consolidated with a local election, the state would pay only those additional expenses directly related to the election proclaimed by the Governor. The bill would further provide that it does not preclude the use of otherwise authorized federal funds in elections in which at least one candidate for federal office appears on the ballot.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 13001 of the Elections Code is amended to read:

13001. (a) Except as provided in subdivision (b), all expenses authorized and necessarily incurred in the preparation for and conduct of elections as provided in this code shall be paid from the county treasuries, except that when an election is called by the governing body of a city the expenses shall be paid from the treasury of the city. All payments shall be made in the same manner as other county or city expenditures are made. The elections official, in providing the materials required by this

division, need not utilize the services of the county or city purchasing agent.

(b) All expenses authorized and necessarily incurred on or after January 1, 2005, in the preparation for and conduct of elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in the Congress of the United States, shall be paid by the state. If an election proclaimed by the Governor to fill a vacancy in an office specified by this subdivision is consolidated with a local election, only those additional expenses directly related to the election proclaimed by the Governor shall be paid by the state. Nothing in this section shall preclude the use of federal funds authorized by any other provision of law in elections in which at least one candidate for federal office appears on the ballot.

(c) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted on or before January 1, 2006, deletes or extends that date.

SEC. 2. Section 13001 is added to the Elections Code, to read:

13001. (a) All expenses authorized and necessarily incurred in the preparation for and conduct of elections as provided in this code shall be paid from the county treasuries, except that when an election is called by the governing body of a city the expenses shall be paid from the treasury of the city. All payments shall be made in the same manner as other county or city expenditures are made. The elections official, in providing the materials required by this division, need not utilize the services of the county or city purchasing agent.

(b) This section shall become operative on January 1, 2006.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to relieve counties of responsibility for expenses incurred in 2005 for the preparation and conduct of elections proclaimed by the Governor for specified purposes, it is necessary that this bill go into immediate effect.

Approved _____, 2005

Governor